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5 Attorneys for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT**
7 **DISTRICT OF NEVADA**

8 In re:

9 USA COMMERCIAL MORTGAGE
10 COMPANY,

11 Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

12 **NOTICE OF HEARING RE
13 OBJECTION TO PROOFS OF
14 CLAIMS FILED BY LAMOINE AND
15 LOIS MURRAY FOR CLAIM NOS.
16 10725-00443, AND 10725-00608 FOR
17 DUPLICATIVE CLAIMS AND
18 LACK OF SUPPORTING
19 DOCUMENTATION; AND
20 CERTIFICATE OF SERVICE**

21 Date of Hearing: October 18, 2011

22 Time of Hearing: 1:30 p.m.

23 Estimated time for Hearing: 5 Minutes

24 **THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT
YOU FILED. THE USACM TRUST SEEKS TO DISALLOW CLAIM NO. 10725-
00608 IN ENTIRETY ON THE GROUND IT IS DUPLICATIVE OF ANOTHER
CLAIM THAT YOU FILED. FURTHER THE USACM TRUST SEEKS TO
DISALLOW CLAIMS 10725-00443 AND 10725-00608 ON THE GROUND THAT
THEY WERE FILED WITHOUT SUPPORTING DOCUMENTATION. THE
DISPOSITION OF THE ALREADY PROCESSED CLAIMS WILL NOT BE
AFFECTED BY THE COURT'S RULING ON THIS OBJECTION**

25 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS
REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**

1 **SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP**
2 **CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN**
3 **HINDERAKER (520-629-4430).**

4 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and
5 through its counsel, has filed its Objection to proofs of claims filed by Lamoine and Lois
6 Murray for Claim Nos. 1075-00443, and 10725-00608 for duplicative claims and lack of
7 supporting documentation (with Certificate of Service) (the “Objection”). The first page of
8 your Proofs of claim as required by Nevada LR 3007 as **Exhibit A**, is attached to the
9 Objection. The USACM Liquidating Trust has requested that this Court enter an order,
10 pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”) and
11 Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”),
12 disallowing your Proofs of claim in entirety to the extent that they were duplicative of
13 another claim that you filed and that they were filed without supporting documentation.
14 The disposition of the processed claims will not be affected by the court’s ruling on this
15 objection

16 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
17 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
18 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
19 October 18, 2011, at the hour of 1:30 p.m.

20 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON OCTOBER**
21 **18, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**
22 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**
23 **HEARD ON THAT DATE.**

24 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any
25 response to the objection must be filed and service must be completed no later than
26 fourteen (14) days preceding the hearing date. The opposition must set forth all relevant
 facts and any relevant legal authority.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: September 14, 2011

LEWIS AND ROCA LLP

By s/ John Hinderaker (AZ 18024)
Robert M. Charles, Jr., NV 6593
John Hinderaker, AZ 18024 (*pro hac vice*)
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Attorneys for the USACM Liquidating Trust

Copy of the foregoing was deposited in first class postage prepaid U.S. Mail on September 14, 2011 to:

Lamoine Murray and Lois H Murray
4934 Larkspur Ln
Ogden, UT 84403-4426

s/ Matt Burns
Matt Burns, Paralegal
Lewis and Roca LLP